

REMARKS

This paper is being provided in response to the Office Action mailed June 1, 2004, for the above-referenced application. In this response, Applicants have cancelled claims 27, 31-32, 34-35, 38-39, and 43-44 without prejudice or disclaimer of the subject matter thereof and amended claims 28, 29, 30, 33, 36, 40, 41 and 42 to clarify that which Applicants consider to be the invention. Applicants respectfully submit that the amendments to the claims are fully supported by the originally-filed specification.

Applicants thank the Examiner for the indication of allowable subject matter in claims 41 and 42. Applicants have amended claims 41 and 42 to correct a typographical error in the dependency claim reference.

The rejection of claims 27-32, 38, 39 and 40 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 7 and 10 of U.S. Patent No. 6,422,452 has been addressed by the filing of a Terminal Disclaimer herewith. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn.

The provisional rejection of claims 27, 29, 31-39, 43 and 44 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 29, 34, 35 and 37 of copending Application No. 10/105,580 has been addressed by the filing of a Terminal Disclaimer herewith. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn.

The rejection of claims 27, 31, 32, 34, 35, 38, 39, 43 and 44 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,533,160 to Bourrieres et al. (hereinafter "Bourrieres") has been rendered moot by the cancellation of these claims herein.

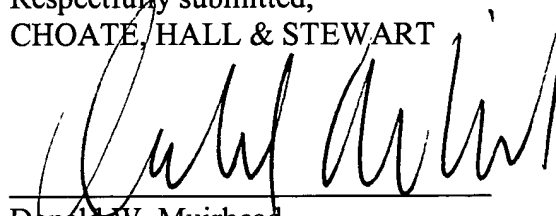
The rejection of claims 27, 31-33, 38, 39, 43 and 44 under 35 U.S.C. 102(e) as being anticipated by JPN 2001-135660 to Takahashi et al. (hereinafter "Takahashi") is hereby traversed in view of the submission herewith of the verified English translation of the Japanese Application No. 2001-87643 (hereinafter the "Japanese Priority Application").

Applicants submit herewith a verified English translation of the Japanese Priority Application, upon which the present application claims priority. The Japanese Priority Application was filed on March 26, 2001 and supports the claims of the present U.S. application. See, for example, pages 12-14 of the English translation of the Japanese Priority Application. Accordingly, Applicant respectfully submits that the verified English translation of the Japanese Priority Application entitles the present U.S. application to the date of the Japanese Priority Application, March 26, 2001.

Applicants' March 26, 2001, priority date is prior to the May 18, 2001, publication date of Takahashi. Accordingly, Applicants respectfully request that this reference be withdrawn and that this rejection also be withdrawn.

Based on the above, Applicants respectfully request that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-248-4038.

Respectfully submitted,
CHOATE, HALL & STEWART

A handwritten signature in black ink, appearing to read 'Donald W. Muirhead', is written over a horizontal line.

Donald W. Muirhead
Registration No. 33,978

Date: August 31, 2004

Customer No.: 26339
Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
Phone: (617) 248-5000
Fax: (617) 248-4000